

From: Heath Jared
To: Microsoft ATR
Date: 12/7/01 4:47pm
Subject: Microsoft Settlement

To whom it may concern:

After reviewing the settlement between the Department of Justice and Microsoft, I am disappointed that a company found to be in violation of abusing its monopoly is actually only slapped on the hand (at best) by the deal. There is no substantial penalty for Microsoft that it cannot weather, and that in itself makes the settlement a laughingstock in the industry (you guys need to read some of the tech journals since this was released). I haven't heard anyone in my software company who thinks Microsoft will suffer any penalty from the deal, and most feel the company should face grave penalties. You really can't be serious, an over-sight committee which can't do anything in the legal system? Can you really believe Microsoft will adhere to this committee when it has no (zero, nada) power?

Actually, I have heard it described as a "get-out-of-jail-free card". I would interpret something such as that as a reward, not a penalty.

People will say it is good for the economy. How can this be? Microsoft has already eliminated sectors of its software competition, and is well on its way to eliminating the rest of its competition. Once no one stands in their way, who is to stop them from cranking up the cost of their services? Microsoft will certainly not fear the government when it choses to exploit everyone: You, the DOJ are in Bill's back pocket already.

Today, we have a big problem in parenting--threats not backed up with action, oftentimes ending up in reward. This leads to children who do not respect authority because their parents never punished them for there mis-doings. I am reminded of a recent visit to a local Toy's 'R Us here in Dallas. A child was wailing at the top of his lungs because his mother would not buy him a specific toy. His mother threatened him several times with spankings, even grounding, but the

child never let up. Finally, rather than deal with the child the way she should have, she gave in and bought the child the toy. Rather than punishing him for what he had done wrong, he actually received a reward for mis-behaving!! My mother would have torn me up, right there in the store.

Now, your weak settlement has setup another controversial settlement at the civil level which is yet again not a penalty for Microsoft, but a free-ticket out of trouble and into more Monopoly. I have played the game "Monopoly" many, many times. No one has ever agreed to give me "Boardwalk" in place of "St. James Place", but here we have settlement after settlement where Microsoft is getting an un-believable deal. Had you dealt out a settlement that was reasonable, this would never have happened, and a certain Judicial Committee hearing would not be happening either.

It appears this practice has been adopted by you, the Justice Department in relation to Microsoft. No enforcement of threats. Rewards for those who deserve punishment. Please, let me know when you decide to start rewarding people for breaking laws that apply to me, like the speed limit...I'm willing to negotiate my reward just like Microsoft did....out of court

PS-Take a close look at what the strong-willed states presented today...I suspect after Congress and the Court system gets done with Microsoft, the final outcome will be very similar to this new more realistic punishment for a mis-behaving child (Microsoft).

Sincerely,

Jared Heath

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